

Alabama Surface Mining Commission



Functional Analysis & Records Disposition Authority

**Presented to the
State Records Commission
July 27, 2000**

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Functional and Organizational Analysis of the Alabama Surface Mining Commission

Sources of Information

- Representatives of the Alabama Surface Mining Commission
 - Dr. Randall C. Johnson, Director
 - Carla D. Lightsey, Administrative Services Officer
- Code of Alabama, 1975 § 9-16-70 through § 9-16-107
- Code of Alabama 1975 § 41-20-1 through § 41-20-16 (Sunset Law)
- Alabama Government Manual (1998)
- Alabama Administrative Code Chapters 880-X-1A through 880-X-12A
- Code of Alabama 1975 § 41-22-1 through § 41-22-27 (Administrative Procedures Act)
- Holdings of the Department of Archives and History for the Alabama Surface Mining Commission

Historical Context

In 1891, a commission of examiners, consisting of the inspector of mines and two mining engineers, was created to examine and give certificates of fitness and service to mine bosses. After 12 months from the passage of the originating act, no person other than those then acting as mine bosses could be employed as such unless they possessed such a certificate awarded by the commission. Additionally, the act authorized the inspector of mines to act as chairman *ex officio* of the commission. The agency created as result of the originating act of 1891 was subsequently, though unofficially, referred to as the Alabama Commission of Examiners of Mine Bosses (Acts 1890-91, No. 602, Sec.7).

In 1939, following the creation of the Alabama Department of Industrial Relations (and legal eradication of the position of Chief Mine Inspector), the Commission of Mine Examiners was created, thus marking the end of the Commission of Examiners of Mine Bosses (Acts 1939-40, No. 161 Sec.7).

The commission consisted of the chief or head mine inspector as the director of Industrial Relations may have designated, together with two active practicing miners, two operators of coal mines, and one practicing mining engineer as appointed by the governor. The commission examined applicants and gave certificates of competency to persons passing the required examinations to act as foremen or fire bosses in the mines (Acts 1949, No. 207 Sec. 1-115).

The Alabama Surface Mining Act of 1969 was passed by the legislature and was seen as a first step in mining regulation. It provided for reclamation and revegetation of land affected by surface mining and called for the issuance of permits for surface mining operations (Acts 1969, No. 399 Sec. 1-18).

In 1975, the legislature, anticipating tougher federal legislation, passed the Alabama Surface Mining Reclamation Act of 1975. Section 4 of that act created the Surface Mining Reclamation

Commission (SMRC) and made it independent of the Department of Industrial Relations, with members being appointed by the governor. The act repealed the 1969 Act and strengthened the regulation affecting surface mining (Acts 1975 No. 551 Sections 1-28).

After the passage of the Federal Surface Mining Control and Reclamation Act, Public Law 95-87, in 1977, the Alabama legislature passed the Alabama Surface Mining Control and Reclamation Act of 1981. This act renamed the SMRC to the Surface Mining Commission. The act gave the commission the power to implement and enforce the provisions of PL 95-87 and implemented more controls over surface mining and land reclamation (Acts 1981 No.81-435 Sections 1-40).

Agency Organization

The governor appoints seven members to the Alabama Surface Mining Commission, hereinafter referred to as the commission, for five-year terms. One member is appointed from one of the three counties which produce the greatest number of tons of surfaced mined coal. Two members are appointed from any of the coal-producing counties. One member is appointed from the state at large. The commission must also consist of a professional forester, a civil or mining engineer, and an attorney. The commission elects one of its seven members to serve as chair. The commission appoints a director who serves as chief operating officer and is charged with such powers, duties, and functions as conferred upon him/her by the commission. The staff of the commission is divided into the Division of Surface Mining Control and the Division of Hearings and Appeals. The commission maintains its office in Jasper, Alabama. An organizational chart is attached.

Agency Function and Subfunctions

The mandated function of the Alabama Surface Mining Commission is to regulate the surface coal mining industry in Alabama and to ensure the reclamation of land which has been surfaced mined or which has suffered from the effect of underground coal mining. The commission is one of the agencies responsible for performing the Regulatory function of Alabama government.

In the performance of its mandated function, the Alabama Surface Mining Commission may engage in the following subfunctions:

- **Promulgating Rules and Regulations.** The Code of Alabama 1975 § 9-16-74 through § 9-16-75 authorizes the commission to establish rules, regulations and policies governing surface coal mining operations in the state. The commission's procedures for rulemaking take precedence over the Alabama Administrative Procedures Act. This subfunction encompasses activities pertaining to the development of rules and regulations, including due process, procedures for licensure, and other official policies needed by the commission for carrying out its duties and responsibilities. In the event an emergency is declared by the commission, the commission may make, change, renew, or extend a rule, regulation, or order without first having a hearing. An emergency rule, regulation, or order remains in force no longer than 120 days from its effective date.

- **Issuing Permits and Licenses.** The Code of Alabama 1975 § 9-16-74 (4) authorizes the commission to require persons engaged in or directly responsible for the use of explosives for the purpose of blasting in surface coal mining to be properly trained and certified. The applicant must complete a minimum of 40 hours in an approved training program and pass a written examination. To renew the license the applicant must complete at least 12 hours of continuing education prior to renewal.

The Code of Alabama 1975 § 9-16-81 authorizes the commission to issue licenses for the operation or exploration of any surface coal mine. Applicants must fill out the appropriate forms, pay the required fees, and demonstrate that they have the technical skill and financial ability to comply with the rules and regulations of the commission to safely operate a surface coal mining operation. Licenses are renewed annually. Licensees must also obtain permits to work in surface coal mines.

The Code of Alabama 1975 § 9-16-82 through § 9-16-90 authorize the commission to issue permits to anyone who works in any surface coal mining operation, except for those who work as subcontractors of the permittee. The permit file also contains a plan for reclamation of the land following cessation of mining operations. The term of the permit cannot exceed five years, subject to renewal, and only applies to operations within the permitted area. Following a public hearing the commission may approve, refuse, or modify a permit application. Applicants can appeal the denial or modification of permit applications to the commission or appropriate circuit court.

- **Inspecting and Enforcing.** The Code of Alabama 1975 § 9-16-92 authorizes the commission to make irregular, unannounced inspections of surface coal mine operations. The commission makes not less than one partial inspection once a month and a complete inspection at least once per calendar quarter.

The Code of Alabama 1975 § 9-16-92 through § 9-16-94 authorize the commission to make immediate inspections of surface mining operations if it has reason to believe that a violation may be occurring. If violations of proper magnitude are found, the inspector can order a cessation of the mining operation. An expedited hearing is then held to consider the violation. If the violation does not pose immediate danger, the permittee will be given 90 days to repair the violation.

The Code of Alabama 1975 § 9-16-96 permits the commission to designate, through a planning process, any land areas of the state unsuitable for all or certain types of surface coal mining. The planning process includes the compilation of a database and inventory system of land areas in the state that will support surface coal mining. The commission then prepares a report that details the potential coal resources of the area, the demand for those resources, and the economic and environmental impact of this designation on the area. A public hearing is then held to decide the issue.

The Code of Alabama 1975 § 9-16-102 requires that any entity in the state that sells or purchases coal in the state reports that sale to the commission every 60 days. Failure to report is a misdemeanor punishable by a fine of not more than \$5,000.

- **Conducting Hearings.** The Code of Alabama 1975 § 9-16-74(2) authorizes the commission to hold public hearings, issue and serve subpoenas, require the attendance of witnesses at its hearings, require the production of evidence for violations of the Surface Mining Control and Reclamation Act, hear appeals for the denial of permits and licenses, and designate land unfit for surface coal mining. The director of the commission appoints a hearing officer who is a merit system employee of the commission and a member of the Alabama State Bar. The decision of the hearing officer is final unless appealed within 30 days. The commission may hear appeals, affirm or reverse the hearing officer's decision, or order the case back to the hearing officer for specific inquiry. A decision of the commission may be appealed to the circuit court after all administrative options have been exhausted.
- **Administering Internal Operations.** A significant portion of the commission's work includes general administrative, financial, and personnel activities performed to support the programmatic areas of the agency including:

Managing the Agency: Activities include internal office management activities common to most government agencies such as corresponding and communicating, scheduling, meeting, documenting policy and procedures, reporting, litigating, legislating (drafting, lobbying, tracking), publicizing and providing information, managing records, and managing information systems and technology.

Managing Finances: Activities include budgeting (preparing and reviewing a budget package, submitting the budget package to the Department of Finance, documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; assisting the in the audit process; investing and issuing bonds.

Managing Human Resources: Activities include recruiting and hiring eligible individuals to fill positions within the agency; providing compensation to employees; providing benefits to employees, such as leave, health insurance, unemployment compensation, worker's compensation, injury compensation, retirement, and death benefits; supervising employees by evaluating performance, promoting, granting leave, and monitoring the accumulation of leave; training and providing continuing education for employees; and disciplining.

Managing Properties, Facilities, and Resources: Activities include inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; constructing buildings and facilities; leasing and/or renting offices or facilities; providing security for property owned by the agency; insuring property; and assigning, inspecting and maintaining agency property, including vehicles.

Analysis of Record Keeping System and Records Appraisal of the Alabama Surface Mining Commission

Agency Record Keeping System

The Surface Mining Commission operates a hybrid record keeping system composed of paper, microfiche, and electronic records.

Paper-based Systems: Most of the commission's records are maintained in paper form.

Micrographics System: The commission has microfiched the permit files and license files up to 1999. The commission is in the process of evaluating a digital imaging system to digitize the permit and license files.

Computer Systems: The commission is connected to the state's Wide Area Network (WAN) via a token ring on a Novell server. The commission is also connected to a Wide Area Network (WAN) operated by the federal Office of Surface Mining via a Cisco Router. The commission is in the process of converting the desktop operating systems from an IBM PC DOS-based system to Windows 95. Routine server backups are done on a weekly basis on a 4mm tape data cartridge. The server is backed up once a month and each monthly backup is saved for a year in a fireproof vault on-site.

The commission is in the process of implementing an electronic permitting initiative that will allow it to receive permit applications on CD-ROM and process and store the applications in a digital format. This will coincide with the digital imaging of the current paper-based permit applications.

The commission maintains a web site at www.surface.mining.state.al.us where the public can view information regarding surface coal mining in the state. The information on the web site is available in the publications of the commission.

Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by the Alabama Surface Mining Commission: Temporary Records and Permanent Records.

I. Temporary Records. Temporary records should be held for what is considered to be their active life and disposed of once all fiscal, legal and administrative requirements have been met. Some of the temporary records created by the Alabama Surface Mining Commission are discussed below:

- **Blasting License Files.** The commission is responsible for licensing anyone who is directly responsible for or handles explosives for the purpose of blasting in surface mining. These files serve as evidence that the applicant has been trained in the proper safety procedures. A typical license file may contain a completed application form,

evidence of completed training program, examination form, and evidence of any continuing education. Summary information about licensees can be found in the meeting minutes and in the Blasting License Database. These records should be maintained for five years following closure action of the license.

- **Operator License Files.** These files contain forms and other documents submitted by the operator of every surface coal mine in the state. These files contain the application, license approval document, renewals, updates, correspondence, and any orders of revocation or suspension of the license. A licensee must still obtain a permit to work on a surface coal mine. Summary information about licensees can be found in the meeting minutes and in the Operator License Database. These files should be kept for five years following the closure action of the license.
- **Inspection Files.** These files contain all material relating to the regular inspection of coal mines. This may include Notices of Violation (NOV), Cessation Orders (CO), and any follow-up action such as modifications and terminations. The files may also include explanatory memoranda, penalty assessment and collection information, and any related correspondence and reports. Summary information from these records is kept in the permit files. These records should be retained for three years after the fiscal year the records were created.
- **Violation Case Files.** These are the complete files regarding violations found during the inspection of coal mining operations. These files may contain a request or explanation for initiation of action, preliminary and final orders, correspondence relating to the case, and any settlement agreements that arise out of the case. Summary information from these records is kept in the permit files. These records should be retained for five years after the fiscal year the records were created.
- **Hearing Proceedings.** These records are produced only if an appeal of the hearing officer is filed. These files include a notice of appeal and response, motion and other pleadings, case action summary notes of the hearing officer, preliminary and final orders of the hearing officer, any settlement agreement, correspondence relating to the case, any petition for review by the commission or notice of appeal to the Circuit Court of Appeals, and any pleading and orders of any proceedings before the commission or courts. These records should be kept for 1 year after the end of the fiscal year of the last order rendered by the appropriate body (the commission or courts).

II. Permanent Records. The Government Records Division recommends the following records as permanent.

Promulgating Rules and Regulations

- **Meeting Minutes of the Commission.** The Code of Alabama 1975 § 9-16-73 mandates that the commission meet, at minimum, every thirty days. These minutes document the proceedings of the commission and provide the best source of information about the function of the commission and the creation of its policy. Statistical information

concerning permits, licenses, and inspections are contained in the minutes.
(Bibliographic Title: Meeting Minutes)

- **Informational and Promotional Publications.** The commission periodically publishes material designed to educate and inform the public about surface coal mining in the state. This material may be in the form of the commission's law, rules and regulations, administrative procedures, newsletters, brochures, and other promotional media. The Archives has copies of this material dating from 1977 to 1985. **(Bibliographic Title: Informational and Promotional Publications)**

Issuing Permits and Licenses

- **Permit Files.** These files are the most complete record of each mining operation in the state. The files include: application information; copies of the public notice; engineering and design plans; hydrologic/geologic studies; maps; archaeologic and historic studies; permit approval, revisions, and renewal documents; bonding information; water monitoring data; correspondence; and inspection and enforcement information for that mining operation. These files document and contain information from most of the other subfunctions and should be retained permanently. **(Bibliographic Title: Permit Files)**

Inspecting and Enforcing

Records documenting this subfunction are found in the Permit Files and in the Meeting Minutes of the Commission listed above.

Conducting Hearings

Records documenting this subfunction are found in the Permit Files listed above.

Administering Internal Operations

- **Administrative Correspondence.** These records include correspondence with state officials, legal/advisory opinion correspondence, correspondence between the commission and the director and correspondence between the Surface Mining Commission and other state and federal agencies. These records document the commission's policies and procedures and the commission's interaction with other agencies and should be retained permanently. **(Bibliographic Title: Correspondence)**

Permanent Records List

Alabama Surface Mining Commission

Promulgating Rules and Regulations

1. Meeting Minutes of the Commission
2. Informational and Promotional Publications

Issuing Permits and Licenses

1. Permit Files

Administering Internal Operations

1. Administrative Correspondence

Alabama Surface Mining Commission Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975 § 41-13-5 and § 41-13-20 through 21. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff, in conjunction with the staff of the Alabama Surface Mining Commission. The RDA lists records created and maintained by the Alabama Surface Mining Commission in carrying out its mandated functions and activities. It establishes retention periods and disposition instructions for those records and provides the legal authority for the Alabama Surface Mining Commission to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and made available to members of the public. Under the Code of Alabama 1975 § 36-12-40, "every citizen has a right to inspect and take a copy of any public writing in this state, except as otherwise expressly provided by statute." Records must also be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975 § 36-12-2, § 36-12-4, and § 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334) 242-4452.

Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules governing the retention of the Alabama Surface Mining Commission's records. Copies of superseded schedules are no longer valid and may not be used for records disposition.
- The RDA establishes retention and disposition instructions for records listed below, regardless of the medium on which those records may be kept.
- Electronic mail is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.
- Some temporary records listed under the Administering Internal Operations subfunction of this RDA represent duplicate copies of records listed for long-term or permanent retention in the RDAs of other agencies.
- Certain records and records-related materials need not be retained as records under the disposition requirements in this RDA. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document government activities; (3) stocks of blank stationery, blank forms, or other surplus materials that are not subject to audit and

have become obsolete; (4) transitory records, which are temporary records created for short-term, internal purposes that may include, but are not limited to: telephone call-back messages; drafts of ordinary documents not needed for their evidential value; copies of material sent for information purposes but not needed by the receiving office for future business; and internal communications about social activities; and (5) honorary materials, plaques, awards, presentations, certificates, and gifts received or maintained by the agency staff.. They may be disposed of without documentation of destruction.

- Any record created by the commission prior to 1900 shall be regarded as permanent unless there is a specific action by the State Records Commission to authorize its destruction.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the Alabama Surface Mining Commission and lists the groups of records created and/or maintained by the commission as a result of activities and transactions performed in carrying out these subfunctions. The commission may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular quarterly meetings.

Promulgating Rules and Regulations

MEETING MINUTES OF THE COMMISSION

Disposition: PERMANENT RECORD.

INFORMATIONAL AND PROMOTIONAL PUBLICATIONS

Disposition: PERMANENT RECORD

Recordings of Commission Meetings

Disposition: Temporary Record. Retain until the official minutes are adopted and signed.

Issuing Permits and Licenses

PERMIT FILES

Disposition: PERMANENT RECORD.

Permit Application Database

Disposition: Temporary Record. Retain for useful life.

Blasting License Files

Disposition: Temporary Record. Retain 5 years from the closure action of the license.

Blasting License Database

Disposition: Temporary Record. Retain for useful life.

Operator License Files

Disposition: Temporary Record. Retain 5 years from the closure action of the license.

Operator License Database

Disposition: Temporary Record. Retain for useful life.

Inspecting and Enforcing**Inspection Case Files**

Disposition: Temporary Record. Retain 5 years after the fiscal year in which the records were created. Any final orders or agreements will be maintained 10 years from the creation or receipt of the order.

Inspection and Enforcement Files

Disposition: Temporary Record. Retain 3 years after the fiscal year in which the records were created.

Inspection and Enforcement Database

Disposition: Temporary Record. Retain for useful life.

Conducting Hearings**Tape Transcript of Hearings**

Disposition: Temporary Record. Retain 1 year after the fiscal year of the last order rendered by the appropriate body.

Hearing Proceedings Files

Disposition: Temporary Record. Retain 1 year after the fiscal year of the last order rendered by the appropriate body.

Administering Internal Operations: Managing the Agency**ADMINISTRATIVE CORRESPONDENCE**

Disposition: PERMANENT RECORD.

Commission Appointment Letters

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the term expires.

Routine Correspondence

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Administrative Reference Files

Disposition: Temporary Record. Retain for useful life.

Legislative Files (drafts of proposed commission-sponsored legislation)

Disposition: Temporary Record. Retain for useful life.

Legislative Tracking Files

Disposition: Temporary Record. Retain for useful life.

Mailing Lists

Disposition: Temporary Record. Retain for useful life.

Records documenting the implementation of the commission's approved RDA, including copies of transmittals for records transferred to the State Records Center and records transferred to the Department of Archives and History, and the commission's annual reports to the State Records Commission.

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Copies of RDA

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the RDA is superseded.

Computer systems documentation (hardware/ software manuals and diskettes, warranties, records of access/authorities, file naming conventions, Y2K records)

Disposition: Temporary Record. Retain documentation of former system 3 years after the end of the fiscal year in which the former hardware and software no longer exist anywhere in the agency and all permanent records have been migrated to a new system.

Printouts of Acknowledgment from the Secretary of State Relating to Notices of Meetings Posted by State Agencies

Disposition: Temporary Record. Retain 3 years.

Administering Internal Operations: Managing Finances

Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records of original entry or routine accounting transactions, such as journals, registers, and ledgers, and records of funds deposited outside the state treasury

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Grant Project Financial Records

Disposition: Temporary Record. Retain 6 years after submission of the final financial report.

Records documenting requests for authorization from supervisors to travel on official business either within or outside the state, and other related materials, such as travel reimbursement forms and itineraries

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting contracts for services or personal property

Disposition: Temporary Record. Retain 6 years after expiration of the contract.

Records documenting the bid process, including requests for proposals and unsuccessful responses

- a. Original Bid Records Maintained in the Purchasing Office of the Agency for Contracts over \$7500
Disposition: Temporary Record. Retain 7 years after the end of the fiscal year in which the bids were opened.
- b. Duplicate copies of bid (where originals are maintained by the Finance Department - Division of Purchasing)
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the bids were opened.

Audit Reports

Disposition: Temporary Record. Retain 6 years after end of the fiscal year in which the records were created.

Administering Internal Operations: Managing Human Resources**Position Classification Files**

Disposition: Temporary Record. Retain 4 years after position is reclassified.

Application Materials

Disposition: Temporary Record. Retain 1 year.

Records documenting payroll (e.g. pre-payroll reports, payroll check registers)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting payroll deduction authorizations

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting payroll deductions for tax purposes (including Form 941)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting an employee's work history - generally maintained as a case file

Disposition: Temporary Record. Retain 6 years after separation of employee from the agency.

Records documenting employees' daily and weekly work schedules

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting an employee's hours worked, leave earned, and leave taken (including time sheets)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting an employee's work history, generally maintained as a case file

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting sick leave donations

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records of final leave status (cumulative leave)

Disposition: Temporary Record. Retain 6 years after separation of employee from the agency.

Employee Flexible Benefits Plan Files

- a. General information

Disposition: Temporary Record. Retain until superseded.

- b. Other (applications, correspondence)

Disposition: Temporary Record. Retain 6 years.

State Employee Injury Compensation Trust Fund Files

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Equal Employment Opportunity Commission Case Files

Disposition: Temporary Record. Retain 3 years.

Administering Internal Operations: Managing Properties, Facilities, and Resources

SEMIANNUAL INVENTORY LISTS

Disposition: PERMANENT RECORD. Retain in office (Code of Alabama 1975 § 36-16-8[1]).

Transfer of State Property Forms (SD-1) (Agency copies)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Property Inventory Cards and/or Computer Files

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the items were removed from inventory.

Receipts of Responsibility for Property

Disposition: Temporary Record. Retain until return of item to property manager.

Real Property Leasing/Renting Records

Disposition: Temporary Record. Retain 6 years after expiration of the lease.

Facilities/Building Security Records (including visitor logs)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Insurance Policies/Risk Management Records

Disposition: Temporary Record. Retain 6 years after termination of policy or membership.

Building Maintenance Work Orders

Disposition: Temporary Record. Retain 1 year.

Approval of Records Disposition Authority (RDA)

By signing this agreement, the Alabama Surface Mining Commission acknowledges its responsibilities for the proper management of its records and agrees to abide by the implementation guidelines listed below:

- The Alabama Surface Mining Commission will designate a managerial position as the agency records officer. This position is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the commission, for coordinating the transfer and destruction of records, for ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, for submitting an annual report on records management activities to the State Records Commission in July of each year, and for ensuring the regular implementation of the commission=s approved RDA.
- Permanent records in the Alabama Surface Mining Commission’s custody will be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis – for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA’s provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The commission should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the commission chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records’ permanent preservation and accessibility.
- The Alabama Surface Mining Commission agrees to allow the State Records Commission, its staff, and the Examiners of Public Accounts to examine the condition of the permanent records maintained in the custody of the commission and to inspect records destruction documentation. Government Records Division archivists are available to train the commission staff in RDA implementation and otherwise assist the commission in implementing its records management program.

The State Records Commission adopted this Records Disposition Authority on July 27, 2000.

Edwin C. Bridges, Chairman
State Records Commission

Date

Receipt acknowledged:

Dr. Randall C. Johnson, Director
Alabama Surface Mining Commission

Date